

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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UNITED STATES OF AMERICA,

v.

EARL DICKERSON

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CRIMINAL NO. 04-10202-RWZ

**INFORMATION**

Pursuant to Title 21, United States Code, Section 851(a), the United States Attorney, by Assistant United States Attorney John A. Capin, hereby files this information stating that the government will rely on several drug convictions as the basis for a sentencing enhancement with respect to Counts One and Two of the Superseding Indictment.

In particular, the government will rely on one or the other or all of the following convictions:

1. Conviction on December 2, 1996 in Suffolk Superior Court, Docket Number 1996-10330, for possession of a Class B Substance With Intent to Distribute or Manufacture, in violation of M.G.L. c. 94C, Section 32A(b);
2. Conviction on June 29, 1994 in Middlesex Superior Court, Docket Number 1993-01189, for possession of a Class B Substance With Intent to Distribute or Manufacture, in violation of M.G.L. c. 94C, Section 32A(a);
3. Conviction on January 29, 1997 in Boston Municipal Court, Docket Number 9301CR1234A, for possession With Intent to Manufacture, Distribute, or Dispense a Controlled Substance in Class "B" of M.G.L. c. 94C, Section 31, to wit: crack cocaine (a derivative of coca leaves), in violation of M.G.L. c. 94C, Section 32A; and
4. Conviction on October 31, 1995 in Boston District Court, Docket Number 9101CR11417A, for possession With Intent to Manufacture, Distribute, or Dispense a Controlled Substance in Class "B" of M.G.L. c. 94C, Section 31, to wit: cocaine (a derivative of coca leaves), in violation of M.G.L. c. 94C, Section 32A

Because Count Two of the Superseding Indictment involves fifty (50) grams or more of a mixture or substance containing cocaine base (also known as "crack cocaine"), the government

submits that the defendant is subject upon conviction on this count to a mandatory minimum period of incarceration for life, a fine of up to eight million dollars and supervised release for a minimum of ten (10) years up to a maximum of life following any period of incarceration, pursuant to 21 U.S.C. § 841(b)(1)(A)(iii).

Because Count One of the Superseding Indictment involves five (5) grams or more of a mixture or substance containing cocaine base (also known as “crack cocaine”), the government submits that the defendant is subject upon conviction on this count to a maximum sentence of imprisonment for life, a mandatory minimum period of incarceration for ten (10) years, a fine of up to four million dollars and supervised release for at least eight (8) years and for a maximum of life following any period of incarceration, pursuant to 21 U.S.C. § 841(b)(1)(B)(iii).

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ John A. Capin

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